

Committee of Physical Therapy Minutes

Date: February 11, 2005

Time: 12:05 p.m.

Location: Cumberland Conference Room
Ground Floor, Cordell Hull Building
425 Fifth Avenue North
Nashville, TN 37247-1010

Members Present: Dr. J. Randy Walker, Jr., Chair
Blake Murphy
Teresa Johnston

Members Absent: Brigina Wilkerson

Staff Present: Robbie Bell, HRB Director
Marva Swann, Unit Director
Mary V. Webb, Board Administrator
Rainey Irwin, Litigating Attorney
Nicole Armstrong, Advisory Attorney
Jerry Kosten, Regulations Manager

Staff Absent: Lean Ann Phelps, Disciplinary Coordinator

A quorum being present, the meeting was called to order at 12:05 p.m., by Dr. J. Randy Walker, Jr., Chair

Office of General Counsel (OGC)

Nicole Armstrong, Advisory Attorney, advised the Committee of the Conflict of Interest policy and for anyone who had not signed a form to please do so.

Ms. Armstrong, reported that there are currently three open cases pertaining to the Board of Occupational and Physical Therapy Examiners. Two cases involve Physical Therapist Assistants.

Office of Investigations

Disciplinary Report – There are currently one Physical Therapy Assistant and five Physical Therapist being monitored.

Investigative Report – There are currently two open complaints in the Office of Investigations.

Contested Cases

Rainey Irwin, Litigating Attorney for the Office of General Counsel, presented the following Consent Orders:

Jaimini Patel – Vicksburg, Ms, unlicensed- Ms. Patel submitted altered documents for the purpose of remedial coursework. Ms. Patel was assessed a \$1,500.00 civil penalty. A motion was made by Ms. Teresa Johnston and seconded by Mr. Blake Murphy to accept the contested case. The motion carried.

Pamela Smith, PTA – license # 267, Goodlettsville, TN – Ms. Smith performed crutch services to a patient without the supervision of a Physical Therapist. Ms. Smith was issued a REPRIMAND and ordered to pay a \$500.00 civil penalty. A motion was made by Ms. Johnston and seconded by Mr. Blake Murphy to accept the contested case. The motion carried.

Applicant Interviews/File Reviews

Christy Callaham – Ms. Callaham came before the Committee for a request to take the PTA exam due to a vehicular homicide charge in 2001. After review of Ms. Callaham's file and a positive TNPAP report, the Committee approved Ms. Callaham to take the PTA examination.

Katherine Payne, PTA – Ms. Payne submitted her application for reinstatement but, has not practiced as a Physical Therapist Assistance in the past nine years. The Committee ruled that Ms., Payne would need to take the Ethics and Jurisprudence courses as outlined in Rule 1150-1-.12 and complete the other 16 hours of continuing education credit hours that make up the mandatory 20 hours for Physical Therapist Assistants. Ms. Payne will need to take the PEAT (Practice Exam Assessment Tool) exam that is offered by FSBPT. Ms. Payne was also required by the Committee to spend at least 100 working in a PT clinic as a PT Tech, working under the supervision of a licensed Physical Therapist before her license could be reinstated. A motion was made Ms. Johnston and seconded by Mr. Blake to require Ms. Payne to complete the afore mentioned steps in order to reinstate her license.

Darlene Gamble, PT – Ms. Gamble submitted her application for reinstatement however, she has not practiced Physical Therapy for six years. The Committee ruled that Ms. Gamble would need to

complete 30 hours of continuing education that must include the Ethics and Jurisprudence which is outlined in RULE 1150-1-.12. Ms. Gamble is required to take the PEAT exam that is offered by FSBPT and she will need to work at least 100 hours under the supervision of a licensed PT in a Physical Therapy clinic as a PT Tech before her license can be reinstated. A motion was made by Ms. Johnston and seconded by Mr. Blake to require Ms. Gamble to complete the afore mentioned steps in order to reinstate her license.

Garrett Dunnam – Mr. Dunnam requested the Committee to grant him a PTA license by reciprocity due to a criminal damage/theft of property conviction in 1996. A motion was made by Ms. Johnston and seconded by Mr. Murphy to approve Mr. Dunnam for a PTA license. The motion carried.

Minutes

A motion was made by Dr. Walker seconded by Ms. Johnston to approve the minutes from the November 5, 2004 board meeting. The motion carried.

Legislation

Jerry Kosten, Rules Regulations Manager presented the Committee with the following rulemaking hearing to be held on April 18, 2005. A motion was made by Mr. Murphy and seconded by Ms. Johnston to approve the rulemaking hearing. The motion carried.

- A. Mandatory criminal background checks for Physical Therapy new applicants
- B. Revise continuing education requirement error for PTA's, Rule 1150-1-.12 3(b)2 and unacceptable activities for continuing competence, Rule 1150-1-.12 7(a) through 7(d).

Discussion

Remediation - The Board will mail letters to all PT/PTA Programs advising them of the new and amended rule changes for remediation procedures that will become effective April 4, 2005. Rule 1150-1-.08 (8) (a) and (9).

Ethics and Jurisprudence - Dr. Cathy Hinton would like a written agreement to approve the Ethics and Jurisprudence courses for Physical Therapists/Assistants on behalf of the TPTA.

Task Force - Dr. Walker would like a task force to be in place to help with selecting the presenters for the Ethics and Jurisprudence courses. A motion was made by Ms. Johnston and seconded by Mr. Blake to approve the selection of a task force group.

Home Health Aides - The Committee adopted a policy statement that would state what the duties of a Physical Therapist are when working with Home Health Aides. A motion was made by Dr. Walker and seconded by Ms. Johnston to adopt the policy statement. The motion carried.

Auditing – Robbie Bell explained to the Committee that the Board could not hire an independent auditor. However, the Board could request that the Board Consultants perform the audits. Mary Webb, Board Administrator, would send a letter to the Board Consultants and former Board Members to inquire if they would be interested in conducting the continuing education audits.

TNPAP (Tennessee Peer Assistance Program) Contract - A motion was made by Ms. Johnston and seconded by Mr. Murphy to approve the TNPAP contract through 2006.

Remediation Review

Lindsey Wilson – A motion was made by Ms. Johnston and seconded by Mr. Murphy to accept the remediation plan that was submitted by Ms. Wilson. The motion carried.

Mia Moore – A motion was made by Ms. Johnston and seconded by Mr. Blake to accept the remediation plan that was submitted by Ms. Moore. The motion carried.

Pamela Combs – A motion was made by Ms. Johnston and seconded by Mr. Blake to accept the remediation plan that was submitted by Ms. Combs. The motion carried.

Jennifer Keele - A motion was made by Ms. Johnston and seconded by Mr. Blake to accept the remediation plan that was submitted by Jennifer Keele. The motion carried.

Stephanie Hurst – A motion was made by Ms. Johnston and seconded by Mr. Blake to deny the remediation plan that was submitted by Ms. Hurst because it lacked the specifics why Ms. Hurst felt that she had failed the exam in her past two previous attempts . The motion carried.

Brandy Gordon - A motion was made by Ms. Johnston and seconded by Mr. Murphy to accept the remediation plan that was submitted by Ms. Gordon. The motion carried.

Wilma Smith – A motion was made by Ms. Johnston and seconded by Mr. Blake to accept the remediation plan that was submitted by Ms. Smith. The motion carried.

Brandi McKinney – A motion was made by Ms. Johnston and seconded by Mr. Blake to accept the remediation plan that was submitted by Ms. McKinney. The motion carried.

Thomas Calvery – A motion was made by Ms. Johnston and seconded by Mr. Blake to accept the remediation plan that was submitted by Mr. Calvery. The motion carried.

Credential Review

Allan Gay Damian – A motion was made by Ms. Johnston and seconded by Mr. Blake to approve Mr. Damian to take the PT examination. The motion carried.

Leah Bengco – A motion was made by Ms. Johnston and seconded by Mr. Blake to issue Ms. Bengco a provisional license . The motion carried.

Marilyn Clark – A motion was made by Ms. Johnston and seconded by Mr. Blake to approve Ms. Clark to take the PT exam . The motion carried.

Garrett Story – A motion was made by Ms. Johnston and seconded by Mr. Blake to approve Mr. Story for a PT license.. The motion carried.

Administrative Report

Ms. Webb reported that as of December 2004 for Physical Therapists were 3561 active licenses, 787 retired licenses, 1840 failed to renew licenses. Physical Therapist Assistants there were 1968 active licenses, 253 retired licenses and 435 failed to renew licenses.

Financial Report

Ms. Webb presented the financial report which indicated that the Committee had a cumulative projected surplus as of June 30, 2004 of \$1,203,433.74.

TNPAP Report

The TNPAP report showed that there were two new referrals that involved Physical Therapy Assistants.

Ratifications

A motion was made by Ms. Johnston and seconded by Mr. Blake to approve the new licenses and reinstatements. The motion carried.

Adjournment

There being no further business, the meeting was adjourned at 5:25 p.m.